[Exhibit P]

IN THE CRIMINAL COURTS OF SHELBY COUNTY, TENNESSEE

DIVISION III

STATE OF TENNESSEE	I	
VS.	I	NO. 16645 Murder First Degree
JAMES EARL RAY	I	

ORDER

This cause came on to be heard September 30, 1968, upon the motion of the defendant for the Court to issue an order directing the Sheriff to cease and desist from the use of television lights, cameras and microphones in security and surveillance of the defendant; the motion of the defendant for the Court to issue an order directing the Sheriff to permit defendant and his counsel to confer in private, absent the presence of law enforcement officers and television and microphone reproduction and to permit defendant and counsel to exchange notes and correspond without censorship; upon the answers of the District Attorney General; upon oral testimony offered by the defense and the State; AND

FROM ALL OF WHICH IT APPEARING TO THE COURT that a great percentage of the security complained of is for the benefit of the defendant to protect him, as well as preserve him, for attendance at his trial; that the measures taken for security and protection of the defendant are reasonable;

The Court fails to find any evidence that anything is being done to the defendant that tends to upset his nervous system or his appetite or his ability to sleep;

The Court further finds from the proof that the guards remove themselves some twenty-four to twenty-seven feet from the place where defendant and his counsel confer and they also turn off the microphone when Mr. Hanes enters the cell block; and the Court takes judicial knowledge that the defendant and his counsel can confer under such conditions without being overheard;

From the testimony adduced the Court finds no violation of the rights of the defendant to communicate with his counsel in writing but for clarity hereby rules that any such writings delivered to counsel by the defendant can only be officially examined to see that there are no maps or sketches concerning security and that there are no letters delivered to counsel in an effort to avoid censorship;

The Court fails to find any evidence to substantiate the charge to the undetectable opportunity to use the television surveillance for illegal identification and or lineup;

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motions of the defendant be, and the same are, hereby denied subject to the above clarification concerning inspection of written matter delivered by the defendant to his counsel.

ENTER this 22nd day of November, 1968, ei and for Sept. 30, 1968, nunc pro Tunc.

W. Preston Battle
JUDGE